



U.S. Department of Justice

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BY ECF

Honorable Edward S. Kiel
United States District Court
for the District of New Jersey
Martin Luther King, Jr., Fed'l Bldg. & U.S. Cthse.
Newark, NJ 07101

Re: *Rajpath USA LLC, et al. v. USCIS*
Case 2:21-cv-04800-CCC-ESK

Dear Judge Kiel:

The parties jointly submit this letter regarding the Court's April 30, 2021 order scheduling an initial scheduling conference on June 1, 2021 (ECF No. 20). The parties respectfully request that the Court adjourn the conference due to the current procedural posture of this matter. The Complaint challenges Defendant U.S. Citizenship and Immigration Services' ("USCIS") denial of a L-1A visa under the Administrative Procedure Act ("APA"). Plaintiffs also filed a motion for preliminary injunction (ECF No. 3), which the Defendants opposed (ECF No. 18). Plaintiffs have since withdrawn that motion. ECF No. 19. The deadline to answer or otherwise move as to the Complaint is currently May 28, 2021, but USCIS has advised counsel for Defendants that it will need additional time to obtain and produce the Certified Administrative Record, due to the very voluminous record in this matter. Plaintiffs' counsel does not oppose a 60-day extension of the answer due date, and Defendants anticipate filing that extension request shortly.

In light of the fact that this APA matter is still in its initial stage and no answer has been filed, the parties believe that an initial scheduling conference may be premature at this time. Once the Answer is filed and the CAR is produced, the parties anticipate submitting a proposed briefing schedule for cross-motions for summary judgment. Therefore, the parties respectfully suggest that the Court adjourn the conference at this time. The parties are otherwise available to appear if the Court deems it necessary.

Thank you for the Court's consideration of this matter.

Respectfully submitted,

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